

APPENDICES

APPENDIX 1

WRITTEN CORRESPONDENCE

SCOTT CARLIN

MAY 27, 2008

To: Southampton Town Board
From: Scott Carlin
Re: Hampton Bays GEIS
Revised May 27, 2008

I want to thank the Town Board for initiating a much needed comprehensive study of Hampton Bays and a moratorium on development along the commercial corridor. These comments supplement previous comments to the Town Board on May 13th.

Hampton Bays is home to outstanding beaches, miles of hiking trails, and miles of coast lines – encompassing Peconic Bay, Shinnecock Bay, and the Atlantic Ocean. The town needs to do more to manage these resources. Hampton Bays' business corridor was the focus on a Town planning effort several years ago, but the community has yet to see the final recommendations from that report. Looking forward, it is important to sustain Hampton Bays as a recreation and seasonal destination. The town should work to sustain seasonal housing, including local motels and bed and breakfast establishments.

To ensure that the proposed GEIS is of greatest value to the community we need to first be clear about what the key concerns of the community are. Here are some of the more serious issues the study should address:

- **The fiscal health of the Hampton Bays Unified School District.** The District currently spends less per pupil than any other school district in Southampton Town. It also educates the largest number of students in Southampton Town. Yet, Hampton Bays has had a great deal of difficulty passing school budgets because the community is burdened by high taxes. It is imperative that the Town examine ways to improve the long term fiscal health of the District. The Town should be commended for finding new sources of funding for the District, such as the Community Preservation Fund. Hopefully the GEIS will reveal new opportunities for collaborative planning.
- **Population Growth**
It is unfortunate that population growth is seen as a negative aspect of community life. A vibrant local population is an essential component of any community. Communities should be able to welcome new residents and the community should have ample housing for its young people. It is terrible that recent high school and college graduates have so few housing choices. Yet the fiscal realities are very daunting for Hampton Bays. The most serious issue is the fiscal pressures on the school district.
 - **Schools.** The School District is the largest component of local taxes. The district has no control over enrollments which are a consequence of local land use and demography. Therefore population growth and its fiscal impacts need to be an important component of the GEIS.
 - **Motel Conversions.** It isn't clear how important an issue this will be in coming years for Hampton Bays, but we need to address this issue

proactively. Hampton Bays needs a moratorium on motel conversions as part of the GEIS. Why not use the Hampton Bays GEIS as a town-wide pilot study for exploring the motel issue?

- **Traffic.** The Town Center has slowed traffic on Ponquogue Ave. On a summer weekend, traffic can backup for a third of a mile. This is relatively trivial compared to the monster traffic jams on local roads, but it degrades local quality of life. The new Stop and Shop may create new congestion problems on Montauk Hwy. Left turning traffic from Rt. 24 onto Montauk Hwy continues to generate road hazards. There is more traffic than the road can handle which increases local accident rates. Years ago, Robert Duffy recommended enhancing traffic flow by creating a more effective street network in the hamlet corridor, but nothing ever came of those proposals. The GEIS should recommend improvements to traffic flow. Hampton Bays also needs improvements in public transit services. It makes no sense that residents cannot ride a bus from Hampton Bays to Westhampton Beach, for example.
- **Groundwater.** The bulk of local population is south of the highway. Cesspool systems in the area were designed under much lower population densities. While drinking water wells are north of the highway, where population densities are lighter, groundwater contamination adversely impacts marine resources.
- **Marine Resources.** Both Shinnecock and Peconic Bays are vital local and regional resources. Yet their marine and economic productivity has declined significantly. Local waters generally look clean, but they are not biologically productive. There are too many nutrients draining into local bays. The Hampton Bays study must be a place where we begin to tackle the relationship between land use and local ecology. The Town should use the GEIS to enhance its understanding of land use – marine interactions and land use regulations that will enhance the long term health of the bays. The Town should use the GEIS to augment Local Waterfront Revitalization planning and evaluate the merits of a Coastal Overlay District, following the model of East Hampton.
- **Redesigning the hamlet corridor.** We need the town's assistance in guiding future development so that our community can grow economically without choking on traffic. We want a prosperous downtown with appropriately scaled buildings and services that enhance our quality of life. We need to redesign traffic flows in the hamlet center before gridlock cripples our community. We need to expand public transit services, now that gas is at \$4 gallon. We need to explore opportunities for reducing local reliance upon cars.
 - **Transit oriented development** is very popular with planners. Mixed use town centers with sufficient density to support public transit is attracting attention in Patchogue, Bay Shore and other Suffolk Communities. Hampton Bays is a small hamlet, but it makes

sense to concentrate future development around the hamlet center creating a more livable and walkable downtown.

- **Shinnecock Canal** has been the focus of past Town planning initiatives. A marine museum has been proposed for this site. It makes sense to strengthen the canal's focus as a local destination without losing that area's rural character.
- **Local energy consumption.** Can we use the GEIS to explore creative ways to reduce local energy usage? Can we develop creative incentives so that our community can better address rising costs of fuel, including winter heating costs? It seems a bit absurd to do develop an environmental impact statement without addressing the primary environmental issue of the day.

APPENDIX 2

WRITTEN CORRESPONDENCE

SCOTT CARLIN

DECEMBER 3, 2009

December 3, 2009

Anna Throne-Holst
Southampton Town Board
Southampton, NY 11968

Dear Anna,

As participants of the Ad Hoc Committee for the Hampton Bays GEIS, we again ask that the Committee to set aside some of its meetings for the PDD issue. Since each PDD site is unique and encompasses a number of complex issues, we suggest that a separate meeting be held for each of the two proposed PDDs in the Hamlet.

Past Ad Hoc meetings have been informal in structure. This informal structure will not be an effective means for developing a community vision for these sites. The PDDs are complex and somewhat divisive. We believe that the best use of our time is to use a Consensus approach for these PDD meetings.

Consensus building inverts this planning process by getting everyone to focus on what they want to see created on specific land parcels. Facilitators have had a lot of success in using this process to build consensus. This saves developers significant amounts of money and time because they are not fighting against mobilized constituents. For this process to work, the Town must use a trained facilitator who has (or earns) the trust of all parties.

Planners have had a lot of success using trained facilitators to guide conversations toward consensus. For example, the widely read book *"Getting To Yes,"* by Roger Fisher, William Ury, and Bruce Patton. A longer bibliography is available on the American Planning Association's website - <http://myapa.planning.org/casey/bibliography.html>. It is our belief that this kind of consensus-building is an excellent example of "best practices" within the planning profession.

Since Sally Pope is a professional mediator, we are hoping that she can play this role in Hampton Bays or that she can recommend a suitable alternative. We also are aware that Carolyn Zenk, a former Town Board member and Hampton Bays resident, also has these skills.

It is important this process not be short-circuited. It may take some time (a few hours) to craft a development strategy that everyone involved in the process is comfortable with. The process has worked very well in many different planning contexts as long as all individuals in the process are properly respected.

The Town, the owners of these land parcels, and the participants in this process are not under any obligation to adhere to the findings of this process. It is an exercise

that might generate some creative and valuable ideas for these two critical land parcels in Hampton Bays.

We would welcome your input on this idea.

Sincerely,

Scott Carlin, Ad Hoc Committee
Richard Casabianca, Ad Hoc Committee
Brenda Herbst, Pres. of Hampton Bays Historical Society,
Larry Luce, Hampton Bays School Business Manager,
Jen Garvey, Ad Hoc Committee
Eve Houlihan, Ad Hoc Committee
Mary Jean Green, Hampton Bays Civic

APPENDIX 3

WRITTEN CORRESPONDENCE

EVE HOULIHAN

FEBRUARY 1, 2010

February 01, 2010

COMMENTS / NOTES

Prepared / Submitted by: Eve Houlihan

Re: **DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT (DGEIS)**

Prepared by: Town of Southampton, Cashin Associates, L.K. McLean Associates

“HAMPTON BAYS Corridor Strategic Plan and
Cumulative Impact of Build-Out Study”

OVERVIEW:

(1) In general, the document still lacks adequate specificity and actual numbers highlighting the **DENSITY DISPARITY** prevailing within Hampton Bays, the seminal issue for both the Moratorium and DGEIS. These statistics were delineated in my March 11, 2009 Handout and should be self-explanatory. Attached hereto are additional statistics, again derived from 2000 U.S. Census data, further illustrating and comparing various density factors for all individual hamlets within Southampton Town. These data must be incorporated in any meaningful “GEIS” documentation in corroboration of legitimate, prevailing community concerns about **DENSITY** --- the fundamental condition requiring amelioration and mitigation. **Note:** the 1970 Master Plan already highlighted intensive development within Hampton Bays.

Yet, most significantly, this latest study document does not include specific or adequate Mitigation measures designed to moderate and reverse both existing **DENSITY DISPARITY** and additional density likely to result from various “special” housing prototypes as referenced in the document and which must be evaluated in detail when formulating actual Build-Out Numbers and actual impacts, i.e.:

** Planned Development Districts

** Motel / Condo conversions

** Accessory Apartments: as permitted under Code and granted by ZBA variance

(2) Concrete **MITIGATION** measures are essential encompassing the following:

(i) In the case of **PDDs**: establishment of definitive legislation requiring that, when considering a PDD, any density increase is offset by commensurate open space preservation -- i.e., extinguishment of development rights on buildable, equivalent-yield open space parcels within the same school district where such PDD is proposed. **Note:** This is briefly referenced in **Part IV.3-4** with the statement: “*Land use impacts of potential planned development districts are not expected to be adverse if approved PDDs are consistent with the range of appropriate land uses identified in the draft Corridor Strategy document AND if density increases are offset by open space preservation.*”

While **Part IV.3-4** of the DGEIS outlines Open Space Preservation as the only logical means to offset density increases, this is NOT clearly stated or reaffirmed under the related MITIGATION Summary featured in **Part IV.3-5 and 6**. In short: the crux of the matter-- DENSITY Moderation -- is not comprehensively addressed.

(ii) In the case of **Motel / Condo Conversions**, the proposed modifications to permissible conversion yield must be CODIFIED to avert gratuitously created heightened year-round residential density. This MITIGATION measure requires clear inclusion in the Mitigation Summary under the Build-Out section. Currently, some 498 motel/cottage lodging units have been inventoried which could be converted from transient to year-round use. **Note:** "Allen's Acres" -- an already approved motel/condo conversion, appears to be missing from the recap featured in **Part IV.1-19 and 20** --- which would increase the ultimate number.

(iii) A total of 888 properties have been identified in the DGEIS as meeting the minimum lot size threshold permitting an **Accessory Apartment** to be constructed. Undefined at this juncture: would these all conform with County Sanitary Code regulations. Ex that number a total of 90 (or 10%) has been extrapolated as "assumed" likely to add an accessory apartment --- reportedly derived from permits now on file. This very optimistic extrapolation does not take into account the number of already existing "illegally" created accessory apartments, as well as the additional numbers created via the Zoning Board of Appeals ("ZBA") process. In the case of the latter: dimensional restrictions, minimum lot size requirements, setbacks and the like are routinely waived. Unknown: how are County Sanitary Code regulations enforced.

Note: As discussed during the March 11, 2009 Ad-Hoc Committee meeting, and in light of these vagaries, a more reliable forecasting model would consist of an articulation of "Best Case" and "Worst Case" scenarios, taking into consideration the full panoply and range of "possibilities" thus leading to more credible and meaningful Mitigation Measures.

(iv) Also missing from the **Mitigation** section is the self-evident imperative to maximize and augment Open Space preservation through Community Preservation Fund ("CPF") and other funding mechanisms. The Hutton Corridor Draft Study and the DGEIS in **Part II.4-9 and 10** delineate several properties along Montauk Highway (eastern leg and western leg) plus waterfront/other parcels, the bulk of which had also been identified in my April 18, 2006 letter to the Town Board as targets for preservation. One parcel identified in 2006, and also referenced by Mr. Brusseau of Cashin at the Jan. 27, 2010 workshop session as a priority for preservation: a large (ca. 38-acre) property located west of / adjacent to the existing Jackson Avenue complex) --- is not included in the DGEIS recap or Mitigation section. But again, each of these proposed and appropriate targets for preservation need to be clearly listed under MITIGATION. It is axiomatic that the best antidote to inordinate density is enhanced Open Space Preservation.

(3) During the January 26 and 27, 2010 Workshop Sessions, the participation of Mr. Michael Brusseau of Cashin Associates was both welcome and exceptionally informative. In addition to Open Space preservation, several other issues were raised related to underlying conditions and environmental imperatives applicable to various “proposed” PDD sites. To the extent that this additional input may not be adequately or clearly articulated in the Draft GEIS, some points are recapped below:

(i) Re Canoe Place Inn: if structurally sound, rehabilitation is recommended in light of its exceptional historical significance. If deemed structurally unsound, the Town should seek and pursue a “Façade” Easement for the purpose of maintaining historic character and/or incorporate that into a new structure.

(ii) Archaeological Resources need to be protected. Several such sites include: the area surrounding the Canal; Fort Lookout; head of Tiana Bay (Munn’s Pond) and the area proximate to the Ponquogue Bridge.

(iii) Groundwater is dependent on a sole-source aquifer system. Current Usage should be reconfirmed, but reportedly an estimated 5 Trillion gallons per year is recharged into the aquifer network. (The Magothy is some 600 to 700 feet down). To properly provide water, in the future the HB Water District will ultimately require a new 16” water main, which could incorporate simultaneous burying of unsightly overhead lines (a long expressed community desire).

The entire subject of Groundwater quality and availability requires further elaboration and analysis, bolstered by accompanying scientific data demonstrating: (a) actual recharge rates; (b) containment of contamination from effluent discharge, pesticides, fertilizers and the like; (c) stress on infrastructure and the taxbase (there are now 10 or 11 public / active wells within the Hampton Bays Water District). **Part II.5-14** lists 10 public wells as operational; **Part II.6-7** lists the number at 11. Clarification needed.

Renewed hydrologic analysis (by both the Water District and other experts) of the original 1970 Town Master Plan would also seem relevant. The section of the Plan dealing with Residential Land Use had recommended a community-wide maximum population density goal not to exceed 1.2 persons per gross buildable acre of land in the unincorporated area of the Town (well exceeded by now within Hampton Bays). That goal was based upon anticipated per capita water consumption.

SPECIFIC PAGE / SECTION / SUBJECT references follow:

(A) PDDS - General

Part II.7-8: References PDD Public Benefit Funds in the context of Article XXVI which states: "A planned development district may be established as a receiving site for development rights or Pine Barrens credits" and that a PDD "may be established as a method of providing incentives or bonuses for development providing substantial community benefits or amenities." It further states that a "payment in lieu of" may be provided to cover the costs of the community benefit.

My comment: The immediately following paragraph reiterates that there is conflicting opinion about the "cash-in-lieu-of" approach insofar as the cash component is inadequate and that "...this belief has contributed to community opposition to use of PDDs as a planning tool." In fact, community opposition is equally based on the premise and actual purpose envisioned for PDDs: i.e., Article XXVI, Chapter 330-24 stipulates that the "...purpose of...the PDD legislation is to facilitate increased flexibility to achieve more desirable development ... AND to preserve ... existing open space." In light of the overarching and indisputable need within Hampton Bays to reduce density, the only logical and commensurate Public Benefit has to be directed towards OPEN SPACE PRESERVATION and/or extinguishment of equivalent development potential on other vacant parcels within the Hamlet. That goal should supercede the Town's perceived desire to maintain "complete control" over the "cash-in-lieu-of" slush fund.

Part II.7-9: Figure II.7-9 lists a total of three (3) PDDs previously approved within Hampton Bays, together with a listing of "Public Benefits."

My comment:

(i) **The Hampton Bays West Commercial-Industrial PDD (aka, Stop & Shop)** was the consequence of a law-suit and Court stipulation to settle that case. The cash component of \$ 250 K was proposed by the applicant as a one-time payment as "...a 'community benefit' contribution for placement in a trust fund to be administered by the Town Board for the acquisition of lands or interests therein for open space or recreation purposes within the boundaries of the Hampton Bays Union Free School District, or for the acquisition of pine barrens credits from properties within the boundaries of the Hampton Bays Union Free School District."

The intent and purpose of how these funds are designated for allocation are unambiguous (absent any expedient and previously undisclosed "manipulation").

(ii) The **RTW Residential PDD** is listed without monetary definition of the reportedly required TDRs and PBCs. However, according to documentation procured from the Town Clerk's office on April 30, 2007, this PDD is indicated to have had a "cash-in-lieu-of" requirement of Two (2) PBCs/TDRs @ \$75K each or \$150K. It should be noted that this TDR/PBC requirement had been reduced from Four (4) to Two (2) to "incentivize" the cost of Residential Fire Sprinklers. **NOTE:** Safety measures, as required for this housing project, should logically be charged to the developer insofar as they facilitate his project.

(iii) The **Hampton Bays Mixed-Use Planned Development District (MUPDD)**, aka, King Kullen, lists a requirement for the transfer of Nine (9) TDRs or PBCs. If cash is accepted in lieu of the transfer of development rights, provisions shall be made for such sum to be deposited in a trust fund to be used by the Town Board exclusively for the acquisition of lands or interests therein for open space or recreation purposes within the boundaries of the Hampton Bays School District. The total listed is: \$180K.

However, it is noteworthy that the initial Resolution No. 1772 of December 26, 2001 stated that "...the Town Board...determined that sufficient Pine Barrens Credits are not available and further determines that the offer of \$ 15,083.00 per Pine Barrens Credit, or a total of \$ 75,415.00 for 5 credits from the applicant, Hampton Bays Town Center, is acceptable to meet the requirements of this section for a Certificate of Occupancy."

(iv) Missing from the DGEIS breakdown (but included in the Town Clerk-derived documentation of April 2007): **Hampton Bays South MUPDD** (formerly "Jackson's Lumber") which had been approved for redevelopment to include 5 SFRs and 3 Rental Apartments (with 2 units reserved for Affordable). No reference to TDR / PBC redemption requirement.

Part III.1-7, 8 and 9: References again Town Code PDD regulations and community opposition to continued use of PDD zoning as a land use tool by the Town. **Part III.1-9** proffers various non-land preservation related projects as potential recipients for "cash-in-lieu-of" public benefit funds.

My comment: As already articulated in my Handout dated August 12, 2009 and as recapped above, diverting funds from preservation is inconsistent with both the spirit and intent of the underlying State Legislation as also adopted in the Town Code. It is further in contravention of the memorialized authorizing resolutions (i.e., Stop and Shop, resp. King Kullen). Cannibalizing the accumulating fund for the purpose of subsidizing other stand-alone projects (which mandate Capital Budget fund sourcing as employed in other parts of Town) and subsidizing operating costs on past misguided Town Board action can not stand up to rational scrutiny.

Note: The Town has a 13-year lease arrangement on the **Southampton Town** Community Center which, although physically sited in Hampton Bays, provides **town-wide** access and houses **town-wide** multi-social service amenities plus a fully functioning satellite Town Clerk's office --- open to **all** residents of the Town). That clearly ill-advised lease arrangement and attendant costs require separate analysis.

Part IV.3-3, 4, 5 and 6: Once again references are made to PDDs and public benefit components.

My comment: **Part IV.3-4** correctly stipulates that "...land use impacts of potential planned development districts are not expected to be adverse if approved PDDs are consistent with the range of appropriate land uses identified in the draft *Corridor Strategy* documents and **if density increases are offset by open space preservation.**"

Part IV.5 and 6 features "Mitigation" suggestions. While articulating community concerns over "big box stores," that section fails to address density and the clear need to provide for offsetting open space preservation as the public benefit with PDDs and as the over-riding MITIGATION measure (i.e., a recap of Part IV.3-4). The section does now correctly cite the remaining potential PBCs (a total of 4.81) and that the Town maintains sufficient RRAD-designated property to absorb these 4.81 PBCs.

NOTE: However, not clearly articulated is the fact that while the Pine Barrens Plan requires that the Town maintains "potential" landing sites vs. potential # of PBCs at a RATIO of 2.5 to 1 : that does NOT increase the number of credits or units which could be created. In brief, only 4.81 PBCs potentially exist and would warrant transfer to another site.

(B) PDDs (Specific Projects Cited in DGEIS and Pending)

(1) TIANA COMMONS

The "Tiana Commons" PDD has existing restrictions previously elaborated in my May 27, 2009 Handout. In summary, the site is located in the Pine Barrens Compatible Growth Area of the Pine Barrens (a designation which precludes PDD development, unless it meets Pine Barrens Commission review). Note: a mega-project in the Flanders area was recently rejected by that Commission as environmentally unsound.

In addition, the project site had been designated as a Residential Receiving Area District (“RRAD”). RRADs were created as a means of PBC redemption. The RRAD designation permits a doubling of the underlying “as-of-right” residential yield, up to a maximum of 2 Units per Acre. However, the increased density yield must be offset by redemption of an equivalent number of PBCs --- i.e., One PBC equates to One Residential Unit. Hence, the existing residential yield on the approx. 15 acre property would be 10 to 12 “as-of-right” housing units (net of roadways). With the redemption of 10 to 12 PBCs, the yield could total 20 to 24 Units, under the RRAD regulations. However, there are only 4.81 PBCs “potentially” available within the Hampton Bays School District.

The site in question is designated / located within the Aquifer Protection Overlay District (“APOD”). That designation carries with it clearance restrictions --- i.e., maximum 50% of the property can be cleared. The previously proposed site plan does not appear to comport with that clearance proscription.

While **Part II.4-19** identifies the “Tiana Commons” site as situate in the Town’s APOD in conjunction with the 50% clearance limit, it does not articulate this as potentially prohibitive. APOD stipulations reportedly have precedence over PDDs, prohibiting any laxity in adherence.

Part II.4-21 identifies various parcels (including “Tiana Commons”) designated as RRAD, but with the restriction that the total density of a RRAD “may” not exceed two units per acre. Wording should be adjusted from the permissive “may” to the mandated “shall.”

Part II.4-22: References the December, 2009 “review” by the Town of remaining properties in the Central Pine Barrens Core Preservation Area eligible to register Pine Barrens Credits. That “review” has now identified ONLY 4.81 POTENTIAL credits in Hampton Bays pulled from a 17.7 acre parcel located at 31 Flanders Road.

My comment: The text then erroneously extrapolates and applies a 2.5 standard yield requirement “to accommodate 12.025 credits, or an equivalent number of homes.” As indicated in my August 18, 2009 memo and above, the 2.5 ratio only applies to increase of “potential” landing sites. It does NOT increase the Number of Credits or Units which could be created. The Pine Barrens Plan provides for an “as-of-right” One for One i.e., One PBC = One Unit -- redemption formula. This section of the DGEIS needs deletion, revamping and enhanced clarity.

Part II.4-24 and 25: Under Density Incentives, Section 330-9 of the Zoning Code is cited including the statement that the “Planning Board may authorize a maximum density increase of 30% where development rights or PBCs are used; up to 50% of the as-of-right yield for the development of community benefit units..”

My comment: This statement is incomplete. Chapter 330-9 of the Zoning Code was amended in 2007 to stipulate: "Density incentives for affordable housing shall only be authorized in those hamlets where the population density is equal to or less than 500 persons per square mile..." Hampton Bays has a population density (per 2000 U.S. Census data) of some 1,016 persons per square mile and it is hence EXCLUDED from this potential, additional density imposition.

Part II.4-49 and 50: References "Tiana Commons" as the site for a significant rezoning proposal to create a MUPDD immediately to the west of Stop & Shop encompassing the last major vacant property in the area (19.5 acres). This site is identified as being on the Town's priority list for CPF acquisition. The DGEIS references that this parcel had been recommended for PDD development in the 1999 Comprehensive Plan. The DGEIS goes on to state that evaluation of the existing PDD application does not fall within its purview.

My comment: Curiously, this particular PDD proposal is repeatedly referenced in the various Draft documents and specific sections thereof, suggesting viability --- notwithstanding newly revealed facts (paucity of PBCs, proximity to water wellfield, APOD status and CGAPB siting) which would prudently suggest otherwise. The site is adjacent to a Hamlet Wellfield. Thus, any development construction would reportedly require a minimum 200-foot setback from the wellfield. Any septic system would need to be a CROMA Glass system which treats for Nitrates and suspended solids. An analysis would reportedly also be required to affirm that the Nitrogen load would not exceed what is required for "as-of-right" development.

Any PDD proposal which entails residential units, and which does not clearly incorporate commensurate open space preservation / extinguishment of commensurate development potential on other sites, is contra-indicated for Hampton Bays --- in light of its already existing DISPROPORTIONATE DENSITY. Furthermore, in light of the prohibitive environmental conditions, the apparent encouragement of PDD development would seem to have been predicated on incomplete evaluation of underlying and applicable restrictions.

Part III.1-11 and 12: Reference is again made to "Tiana Commons" and that "density increases should be tied to the retirement of development rights off-site." It also again reveals that, contrary to previous information received from Land Management (and despite repeated references to the issue of PBCs in earlier memos), there is only one remaining parcel in the Pine Barrens within Hampton Bays with the POTENTIAL TO REGISTER 4.81 PBCs. **Part IV.3-5** under Mitigation proceeds to address the proposed "Tiana Commons" site and this now confirmed paucity of potentially available PBCs concluding that, were the "Tiana Commons" project developed without PBC redemption, the Town would be required to designate new PBC receiving areas.

My comment: However, that section fails to address the other restrictive environmental factors applicable to that particular site (i.e., it is within the Compatible Growth Area of the Pine Barrens; it is within the Aquifer Protection Overlay District of the Pine Barrens ("APOD") limiting clearance to maximum 50%; it is a designated RRAD specifically created to absorb potentially available PBCs (4.81 total remain, but have not been made available for purchase). In short: the crux of the matter --- DENSITY Moderation --- is not clearly summarized and addressed under MITIGATION.

The wording requires modification to stipulate that "density increases MUST be tied to the retirement of development rights off-site." The remaining, potential PBCs would clearly be inadequate for the "proposed" density insofar as One PBC yields the equivalent of only ONE UNIT. In sum, due to non-availability, this particular site would be unable to redeem the theoretically required number of PBCs and its suitability as a site for intensive PDD development is environmentally questionable. The DGEIS should not promote it as such, without appropriate cautionary and modifying language.

Part IV.4-7: Further references the "Anticipated Impacts to Groundwater" and specifically cites the "Tiana Commons" proposal as proximate to one of two water supply wellfields in the area which serve the Hampton Bays Water District (i.e., one east of Bellows Pond Road). It further highlights that the Town's APOD has been officially designated as a critical environmental area. Each CEA was created to protect important groundwater resources, in tandem with other factors such as woodlands, open space, etc...

Part II.5-24 and 25: References that for purposes of RRADs, the hamlet should maintain acreage "sufficient to absorb *three* times as many potentially available CBP credits." The section further reiterates the underlying purpose of the Pine Barrens Land Use Plan.

My comment: The correct ratio is actually 2.5 times. The articulated purpose of the Pine Barrens Land Use Plan is self-evident and must be strictly applied to any and all applications going forward. Related controls and prohibitions on intensity of development are also clearly delineated in legislation and must not be circumvented.

Part IV.4-9: References the "junkyard" parcel which is part of the "Tiana Commons" proposal stating that "...the proposed project will remove, restore and revegetate the existing junkyard in the western parcel for use as a public park..."

My comment: Such a site would require a comprehensive Phase 1A Environmental Assessment review, which looks at soil and groundwater --- particularly essential in light of proximity to the wellfield. The feasibility of any public park remains questionable.

(2) CANOE PLACE INN

Part II.4-33 and 35 correctly state that Hampton Bays identifies itself as a historical community and identifies the Canoe Place Inn as an important historic resource, all of which creating a basis for considerable community pride.

Part III.1-13 emphasizes the need to respect the “legend” of the place. **Part IV.3-7** correctly references “demolition and redevelopment of the Canoe Place Inn at the height and density proposed in the existing application as affecting community character and setting precedent for taller and denser development or redevelopment in the community.” However, **Part IV.3-8** draws the conclusion that “...no significant adverse impacts to visual resources and community character are anticipated by the implementation of the proposed Corridor Plan.”

My comment: The subject of impact on community character requires significantly broadened evaluation. While **Part IV.3-9** under Mitigation references the need to be sensitive to the historic and archaeological resources within the Hamlet, it fails to refocus on points made in **Part IV.3-7** --- which are also clearly linked to the subject of Mitigation (not only for this proposal but others).

(3) JACKSON AVENUE Municipal Complex

Part II.6-1 and 2 reference this Municipal PDD.

My comment: This particular proposal was not discussed during the Ad-Hoc committee process. Furthermore, there has been inadequate public vetting of both cost and siting ramifications. Notwithstanding what may have been “envisioned” in 1999, the area in question is now hosting sundry ancillary Town offices and traffic escalation in that already over-stressed area remains a concern. In addition, the site is immediately adjacent to a public park (Red Creek Park) and the placement of, in particular, the Justice Court at that location is illogical. The additional traffic and infrastructure stress make this a decidedly flawed choice. A more suitable alternative site should / must be pursued to serve as a permanent location for the Justice Court --- i.e., at or near the Gabreski Airport or north along Route 24. Both sites provide equivalent (indeed, better) access to the Riverhead Court system.

(C) BUILD-OUT Numbers

Part II.2.2 and 3: Statistics are provided comparing the Hampton Bays population and rate of growth from 1990 through 2007 versus the Town as an aggregate, with density factors and percentage share of Town of population.

My comment: Missing are detailed statistics delineating the actual disparity amongst the individual hamlets within the Town, illustrative of the inevitable consequences.

Part II.2-9: References are listed under “trends” to: (a) the increasing Latino presence and (b) the doubling of the number of Hampton Bays residents living below the poverty line. It further states that “...a concentration of low income residents in the area may attract social service agencies and organizations to locate there, and also suggests that new or expanded programs may be called for to address a population in need.”

My comment: Determining actual income in a community where a significant segment of the workforce reaps its income “off-the-books” -- so to speak -- is an imprecise exercise at best. Suggesting that a hamlet, which already has more than its fair share of affordable and multi-family housing (by any credible East Coast standard) and has the second lowest housing values within the Town by a significant margin, should be prepped to assume more “programs” to address the concentration of low income residents within its borders, defies logic and the principle of equitable treatment. Neither does it take into consideration the extra burdens which would be inflicted upon the remaining residents on multiple fronts. Hampton Bays has already contributed more than its fair share to accommodate low and moderate-income housing for residents. It’s time for the rest of the Town to assume their proportionate and equal responsibility.

Part II.3-2 and 4: References applicable dimensional parameters permitting Accessory Apartments and identifies 888 lots within Hampton Bays which would meet those criteria. **Part IV.1-13, 14, 15, 16, 17, 18 and 19:** Delineate extrapolations of potential additional housing prototypes as follows:

Accessory Apartments:	approx. 10% or 90
Existing “as-of-right” :	549*
Motel/Condo conversions:	498 **

* Plus 15 “bonus units” referenced per L.I. Workforce Housing Act.

Note: Does NOT include projection of any units if / as created via PDD designation.

** Does not appear to include the “Allen’s Acres” project (previously exempted from the Moratorium and DGEIS, which proposed approx. 26 residential condominium units to replace existing motel units.

My comment:

- (i) The number of 90 as projected for Accessory Apartments (per Code) is optimistically low. Plus, this number does NOT take into account ongoing variances granted by the ZBA on lots which conform neither with the minimum 30,000 sq. ft. dimensional lot requirement nor the maximum permitted apartment square footage (per Code). It is therefore essential that a detailed analysis is conducted of actual variances granted by the ZBA over the last several years prior to placing such a number into the DGEIS document.
- (ii) Existing “as-of-right” would also demand further analysis. The recap incorporates 100 units as “projected” for Accessory Apartments, etc. but does not include other selectively applied “Special Exception” Housing prototypes – to wit, PDDs and the like. NOTE: Presumably not included in this number are the additional units slated to be created as a consequence of the already approved RTW Multi-Family Senior complex. It is also not clear from the data as provided where RTW (aka, “Arborview”) and/or other multi-family housing projects and/or apartments which “could” result from HO/HC conversions would be incorporated. **Note:** In my May 27, 2009 Handout, it was reiterated that the residential component should be eliminated from HO/HC prototypes as / when sited within Hampton Bays.
- (iii) The Motel/Condo conversion summary lists 498 units as possible for conversion, with a yield of 249 (further reduced to 125). That last number is predicated on a still pending Code revision of “motel/condo conversion” yield (shifting from a one-to-one conversion rate to one based on square footage) and also based on a “projection” that only half of the existing lodging units would be converted. Again, this is an overly optimistic perspective insofar as indicated elsewhere in the Draft: with the availability of land a shrinking resource, the expectation would be increased gravitation towards accessory apartments and condo conversions/prototypes.
- (iv) With the prevailing tax disparity between Single Family Residences and Condominiums, the aggregate tax burden is disproportionately shifted onto Single Family Residences. SFRs are assessed for tax purposes at 100% of their determined “market value” as opposed to Condominiums whose valuation for tax purposes is approx. 50% of actual “market value” (that last figure extrapolated from a formula which assesses condominiums and commercial properties on an “income basis” (per New York State law). See also **Part IV.6-4 and 5.**

Part II.3-8: References the Long Island Workforce Housing Act and the provision stipulating that when a developer makes application to build 5 or more units, the Town shall provide a density bonus of at least 10% requiring it be used for “affordable workforce housing.”

My comment: It has been amply and demonstrably evident that Hampton Bays has no need or obligation to increase affordable housing opportunities within its borders (from a pure equity and factual perspective) and as already articulated in the last Master Plan Update of 1999. However, the LI Workforce Housing Act, as now incorporated in the Town Code, also clearly articulates the following: “...*When making said density bonus recommendation, the Department of Land Management Administrator, in consultation with the Town Attorney and Housing Director, shall ensure compliance with the Town’s Comprehensive Plan, as well as applicable density incentives already articulated within the Code, such as the goals and objectives of Chapter 330-9...*”

It remains my position that these previously enunciated and codified “objectives” mandate adherence to avert any escalation of “Disparate Impacts” already evident and imposed upon the Hamlet of Hampton Bays.

Part II.3-10: Recaps existing Multi-Family Senior / Low-Income Housing developments existing within Hampton Bays (inclusive of RTW: these total 192 units).

My comment: It is unclear where in the Build-Out numbers the RTW units are incorporated. Additionally, in **Part IV.6-7** the suggestion is made: “...*to support older residents who may be faced with displacement, the Town should explore possibilities for assisting them in creating rental opportunities in their home.*” Unless appropriately monitored and restricted to conformity with existing law, this proposal runs counter to the goal of containing (as opposed to exploding) population within the Hamlet.

Part IV.1-2 and 3: References that the build-out estimates for Hampton Bays are based on what may be developed “as-of-right” without the need for variances, special exception approvals or other discretionary approvals.

My comment: As stated above, the Build-Out estimates are consequently overly optimistic. A more realistic approach would be to construct a multitude of scenarios ranging from “Best Case” to “Worst Case” --- as briefly discussed during one Ad-Hoc Committee meeting in March to include all contingencies for appropriate evaluation.

Part IV.1-3 outlines the two Groundwater Management Zones existing in Hampton Bays. As drafted, the wording would seem to contradict what is contained in **Part IV.1-6**. Hence, clarification needed.

In addition, further explanation is clearly warranted to demonstrate how the applicable Groundwater Management Zone designations are actually applied to development within Hampton Bays, specifically when further sub-division of existing small lots and/or accessory apartment additions are contemplated.

Part IV-1.9: Lists 7,442 properties in the Hampton Bays Hamlet for a total area of 6,745 Acres.

My comment: The total land area of Hampton Bays is some 12.04 square miles, or 7,705 Acres. If the 6,745 acres are exclusively still buildable lots, re-clarification is required of what aggregate land is on “preserve” status (whether County, State or CPF-acquired).

Part IV.2-1 and 1: Provides an overall projection of total new population of 2,018 extrapolated from Census and LIPA statistics.

My comment: The DGEIS categorizes this projection as “conservative.” Given the vagaries of the forecasting formula and the changing demographics within the Hamlet, it must definitely be viewed as such requiring an expanded articulation of “Worst Case” to “Best Case” scenarios to yield a more appropriate and comprehensive template.

(D) TRAFFIC and ROAD EXPANSION / WIDENING

My comment:

The extension of Good Ground Road had initially been pursued in response to escalating traffic congestion within the downtown corridor principally the result of the vehicular “trade parade” diverting from Sunrise Highway CR 39. However, with the now permanent construction of a second eastbound lane on CR 39, eastbound traffic on Montauk Highway, as well as that on parallel roads such as Good Ground Road and Fanning Avenue, was dramatically alleviated indicating that motorists no longer needed to divert from or circumvent Sunrise Highway. That change was already noted in 2006 and has been memorialized in the still extant Hutton Draft Study. It is therefore alarming to see this “proposal” continue to be promoted as if a “fait accompli.” The “extension” is essentially a “road leading to nowhere” which would entail massive tree destruction / clear cutting (definitely not environmentally desirable for the Hamlet).

Road widening, specifically to create two lanes in both directions on Montauk Highway, is particularly questionable and ill-conceived. As already elaborated in my May 27, 2009 Handout, a referenced traffic analysis (prepared at the behest of the Stop & Shop developers) indicated that any such road widening / capacity addition would not be required for that complex, but it could potentially be necessary to accommodate additional traffic due to “Tiana Commons” and could ultimately entail “eminent domain” seizure of property.

The self-evident remedy and appropriate planning tool: development MODERATION to ensure compliance with community imperatives and wishes to retain hamlet-scale development and “country-feel” roadways.

(E) CPF and Open Space Preservation

Part II.4-6: References acreage preserved within Hampton Bays under the auspices of CPF at 219.92 for a total encumbered valuation of approx. \$ 42.9 Mil.

My comment: To maintain a proper perspective, the totals for each of the other hamlets within the Town should be listed (together with population stats) to better illustrate actual impacts and benefits.

Part II.4-7, 8, 9 and 10: Lists a number of parcels which had been on the CPF priority list for acquisition (including the proposed “Tiana Commons” site) and others.

My comment: As noted earlier, a particularly significant property discussed and recommended by Cashin for preservation is omitted – to wit, the ca. 38-acre property east of and adjacent to Jackson Avenue (SCTM 900-205-1-1.3 and SCTM 900-173-1-1.3 – Tax Map #s to be re-verified). While a number of parcels have been preserved in the intervening years (most notably, the former Girl Scouts Camp site, Red Creek Vistas, etc.), it remains obvious that more aggressive preservation efforts are needed to counteract the full panoply of negative impacts from over-development.

Part II.4-12: References the 9.8 acre parcel adjacent to Munn’s County Park, acquired with CPF funding and located in the Central Pine Barrens Critical Resource Area as classified “Recreation and Open Space.”

Part II.6-14 and 15: References a number of Park and Open Space Land outside the Hampton Bays Corridor Strategic Plan Study Area including the 9.8 acre parcel adjacent to Munn’s County Park.

My comment: Given the fact that Hampton Bays already houses the large complex known as “Red Creek Park” with numerous recreational and sports opportunities, plus the newly acquired “Squiretown Park” which hosts various other Town-wide activities, it is essential that the 9.8 acre parcel adjacent to Munn’s County Park be restricted to ONLY Open Space purposes. It serves as a much needed scenic relief component along that stretch of developed Montauk Highway and, given its proximity to a County Park and CPF funding, demands pure preservation.

Additionally, during the January 27 workshop session, Mr. Brusseau clearly recommended against any development as an active park. Simultaneously, Mr. Brusseau recommended and supported the preservation of the large tract west of Jackson Avenue.

Note: Both of these recommendations require implicit and clear integration in the DGEIS under the MITIGATION Summary.

APPENDIX 4

WRITTEN CORRESPONDENCE

SCOTT CARLIN

FEBRUARY 5, 2010

Previous Memos

Scott Carlin
Hampton Bays DGEIS
February 5, 2010 Comments
(Page Numbers refer to an earlier draft of the document)

1. Document Tone.

An important rationale for this DGEIS is that many residents feel that rapid growth within Hampton Bays is degrading the local quality of life. The DGEIS and the accompanying Corridor Strategic Plan fail to convey this sense of concern and urgency.

The goals of the DGEIS should be to guide future land use development, enhance local quality of life, develop the local economy, protect and enhance the region's important natural resources, improve the design and use of the Montauk Highway corridor, strengthen the hamlet's fiscal health, and propose solutions to traffic congestion on local roads.

Ideally, what the Town would have provide Hampton Bays is a model for "sustainable development," a land use plan that allows the hamlet to improve its economic vitality, its environmental stewardship, and its cultural vitality. With some effort, the Ad Hoc Advisory Committee developed a set of guiding principles for evaluating the above issues of community concern. These principles are provided in Section 1.2 of the Corridor Strategic Plan. The principles should be referenced throughout the Corridor Strategic Plan and the DGEIS. These are the measures by which the community seeks to enhance local quality of life. One issue that needs greater attention in this list of Hamlet Planning Criteria is fiscal health.

Schools

Hampton Bays ranks below Riverhead in spending per pupil (\$14K versus \$15K) and is outdistanced by most school districts in Southampton Town, which are among the most lavish on Long Island (p.11.7-7 of the DGEIS). (Bridgehampton spends \$49K per pupil.) School taxes comprise 72% of local taxes (p. 11.7-1), and Hampton Bays' tax rate is among the highest in Southampton Town (p. 11.6-26).

School taxes create a lot of anxiety for local voters. They feel they pay too much in taxes and frequently vote down the first school budget each spring. Most budgets are approved on the second vote, but several years ago the second vote failed, throwing the School District into a contingency budget. Contingency budgets are a serious hardship for schools and the community, yet almost every year Hampton Bays struggles to avoid this disastrous fate by slim voting margins.

The DGEIS needs to better represent the seriousness of this issue for Hampton Bays. The DGEIS should do a better job of explaining the relationship between land use,

school demographics, and school finance. The Town plays a critical role in the School District through its land use policies. The DGEIS needs to explore a range of remedies for the region. The most obvious remedy is to consolidate the Town's School Districts. PILOT payments to Hampton Bays have provided some important relief for local taxpayers. At the very least, a comparable stream of payments is needed for the future. The school mitigation section (IV.5-13) needs more attention. The community needs creative solutions that will address this pressing fiscal issue.

Natural Resources

Hampton Bays natural beauty and its recreational amenities are a major lifeblood of this community. The DGEIS notes that the District's drinking water wells have a "high susceptibility to contamination" (p. II.5-14). The DGEIS notes the need for better controls over stormwater runoff and fertilizers (p. II.5-21). The section on "Wastewater Development Density" suggests the hamlet might have issues related to wastewater flows in excess of DOH regulations, but a local analysis is not provided (p. II.5-23). The DGEIS ought to provide more information on hamlet-wide water management issues. The beaches of Hampton Bays and Southampton Town face serious problems of erosion. If Hampton Bays loses its beaches, it loses its most critical natural resource. This issue was deemed to be outside of the report's scope and the DGEIS is silent on this issue. Through the Ad Hoc Committee process, I suggested that the DGEIS recognize and plan for sea level rise, though the issue is not addressed in this Draft report.

Demographics and Economic Security

The section on demographic trends notes that the Hispanic and Latino population in Hampton Bays jumped from 2% (1990) to 12% (2000) and has continued to grow (II.2-7). In addition, the number of residents living below the poverty line doubled (and no doubt has increased further in the current recession). How will the proposed recommendations address local issues of poverty? What resources will the Town commit to address the economic and cultural needs of Hampton Bays?

The issue of code enforcement is discussed in two paragraphs (II.3-6). Some residents consider this to be a major issue in the community; this topic warrants more than two paragraphs of text.

The section on population density should compare the population density of Hampton Bays to other hamlets in Southampton Town. I requested this statistic in previous correspondence.

From 1990 to 2007, the population of Hampton Bays grew from 8,000 to 13,000, or 63%. Growth in the Town of Southampton, excluding Hampton Bays, was 27%. Clearly Hampton Bays has been disproportionately affected by population growth and population density since 1990. As already stated, this rapid population growth led local residents to request this DGEIS.

The Hampton Bays Civic Association believes that the DGEIS ought to plan for "density neutrality." In other words, given the rapid growth in local population, the DGEIS should provide a plan for ensuring that Planned Development Districts, accessory apartments, and other planning tools do not burden the community with additional population growth. The existing DGEIS does not place sufficient attention on this critical local priority.

Cultural Resources

The DGEIS notes that Canoe Place Inn is an important local and regional landmark. Hopefully the appropriate resources can be found to help maintain the historic character of this critical land parcel. The properties abutting the Shinnecock Canal should continue to receive attention from the Town so that this set of critical natural and cultural resources can be developed in a manner that enhances the region and preserves the area's sense of history.

Montauk Highway Corridor

The DGEIS refers to the Corridor plan as "Smart Growth" planning (IV.9-1). Higher density within the corridor will add additional transportation congestion to the corridor and the plan provides for no expansion in public transportation - so the DGEIS recommendations will accommodate traditional patterns of growth, not smart growth.

The notion that the "applicant" for Tiana Commons should demonstrate a "good faith effort" to obtain and redeem Pine Barrens Credits is woefully inadequate. If there are no PBCs to obtain, then perhaps there is no basis for a PDD (III.1-12)!

The proposed Good Ground Road Extension is something that the Hampton Bays Civic Association feels is premature. Yet the report makes no note of community concerns regarding this road expansion project (III.1-2).

Conclusion.

The Hampton Bays DGEIS process continues to have serious flaws. Public meetings were scheduled, then cancelled, and never rescheduled. Community input into the DGEIS process was inadequate, and the DGEIS failed to delve deeply enough into the many critical issues facing Hampton Bays.

The DGEIS offers no theory of how Hampton Bays functions as a community and offers little in the way of remedies for multiple and complex problems. What the report offers is a repaving and rezoning of Montauk Highway as the solution to the hamlet's current concerns. In its current form, the report fails to provide an adequate basis for future improvements to the quality of life for Hampton Bays and its residents. Its main goal seems to be to accommodate continued land

development within the Hamlet with inadequate attention to the consequences. The report fails to construct a vision of "sustainable development" for the hamlet.

Water quality in the bays is declining, but the DGEIS does not adequately explore mitigation measures for this critical issue. Schools face serious financial squeezes, yet the report spends little time evaluating the issue and less time on remedies. Beach erosion is ignored. Energy efficiency is ignored; the rationale in the DGEIS is that this topic is the purview of a Town wide committee. The DGEIS should offer energy savings recommendations and policies for Hampton Bays, the hamlet with the highest number and density of homes. Lastly, smart growth concepts are used inappropriately in the Montauk Highway corridor.

APPENDIX 5

WRITTEN CORRESPONDENCE

EVE HOULIHAN

MAY 2, 2010

May 02, 2010

COMMENTS / REPLIES

Prepared / Submitted by: Eve Houlihan

Re: Part IV – BUILDOUT, IMPACTS & MITIGATION

Draft dated 4/25/2010: Section 7. Traffic & Transportation Impacts

OVERVIEW:

As evidenced in numerous other sections of the DGEIS, this latest addition continues to place inordinate focus on ACCOMMODATION versus MODERATION. The overall message is that growth (even if gratuitous and excessive) is somehow endorsed as inevitable regardless of cumulative negative impacts on sustainability, quality of life and place, as well as the environment.

****** This latest narrative omits any reference to the original 2006-2008 Hutton Corridor Strategic Plan (pages 63 and 66) which clearly articulated traffic amelioration as a consequence of CR 39 lane addition --- thus obviating any necessity to gratuitously extend or expand roadways into a costly labyrinthian maze of thoroughfares, road widenings, road re-alignments and “cross-access” easements, replete with ever escalating traffic signals and lane reconfigurations.

The ultimate result: CITYFICATION and URBANIZATION of Hampton Bays beyond its already demonstrably disparate urban state versus the rest of Southampton Town.

****** This latest traffic analysis expands its “suggestions” for such road widening and extension well beyond what can be considered prudent or consistent with oft-expressed community wishes. The entire blueprint would compromise any remaining vestige of “country-road” feel as well as hamlet scale, small-town ambiance --- the very elements for which the community consistently advocated during previous study exercises. This traffic analysis provides a plethora of statistical trip generation data --- all seemingly designed to rationalize these excessive roadway reconfigurations, extending into the very heart of the Hamlet’s downtown center.

(1)The proposed Good Ground Road Extension is ill-conceived and effectively a “road leading to nowhere,” terminating at Ponquogue Avenue and the King Kullen Hamlet Center. Placement of yet another more intensive thoroughfare immediately adjacent to the LIRR Tracks should automatically be precluded. Proximity to the tracks and traffic intensification along that stretch do not indicate sound planning --- all the more so since new signals and lane modifications (additions?) also appear to be in the mix.

The destruction of natural vegetation along the LIRR Tracks is unjustifiable for the alleged purpose of providing “some” residents south of the Highway a faster route to/from home. In fact, it would be harmful and counter-intuitive to the aim of downtown revitalization and retention of a scenic and welcoming gateway plus surroundings.

Residents (as opposed to the trade parade now effectively utilizing CR 39) are to be encouraged to transit into and frequent Main Street. That is essential to preserving the viability of existing stores and restaurants. Residents are also to be provided an enhanced “walkable” downtown and surrounding areas -- not another expanded ancillary roadway facilitating racing through-traffic. Providing a circumvention route, for the alleged convenience of a discrete number of residents, will compromise and detract from the goals of Hamlet Center revitalization and attainment of a “walkable” hamlet center area.

This “proposed” GGR extension would apparently require “obtaining” property for its construction. In addition to the cost factor, the property immediately adjacent to the Diner was purchased with CPF monies (albeit very cleverly mixed with some “general fund” bonding source). Notwithstanding, the obvious purpose (at least as marketed to, and perceived by, the public at that time) was to provide a much-needed scenic buffer at the western gateway -- not as a contrivance to extend roadways, intensify ancillary traffic and ultimately destroy the wooded buffer running along the LIRR Tracks.

(2) SR 24 @ CR80: The proposed widening of the SR-24 approach to CR80 for the purpose of providing 2 eastbound lanes would destroy a significant portion of the northeast corner (purchased with CPF monies and serving as a singularly attractive focal point at the western entry to Hampton Bays Main Street).

While a specific reply has never been received to my repeated queries re the proposed Montauk Highway lane expansion (as stated in the 2006 Dunn Engineering Report: such expansion, while not necessary for Stop and Shop, had been viewed as necessary to accommodate additional traffic due to Tiana Commons), this latest Traffic Study now surprisingly proclaims that such widening extending beyond the area between the supermarket and SR 24 “appears” not necessary “...under the entire hamlet build-out condition, which includes the effect of the Tiana Commons PDD application.”

This expedient conclusion seems to be yet another acquiescence to “accommodation” and facilitation of growth and use intensification, beyond what is permitted in underlying zoning, for various still pending “proposed” projects (i.e., purely discretionary actions, requiring Town Board approval and public input). Additionally, the presumably inevitable encroachment on sidewalks and greenspace now fronting the Stop and Shop and McDonald’s (as a consequence of intensive community lobbying) is clearly unacceptable.

(3) Squiretown/Ponquogue Avenue @ CR80: The proposed widening of the pavement at the north leg, and widening of Montauk Highway by 2 feet for a distance of 300 feet on the east and west legs (with removal of parking along the northern expanse of Montauk Highway) neither appears feasible nor sensible – both from a cost and practicality perspective.

(4) Newtown Road @ CR80: Presumption had been that a U-Turn at this intersection was illegal, requiring police enforcement.

(5) Realignment of Old Riverhead Road: This would be an unwarranted expensive measure, again entailing escalating tree destruction along Montauk Highway. Tree buffering along the Highway has been a long-articulated community goal, also memorialized in the 1999 Comprehensive Plan Update. What is clearly required: Enhanced police enforcement to deter speedsters.

My Conclusion: With the possible exception of the new “North Main Street” (which had been incorporated in the original purchase Resolution covering the ca. 38-acre Rosko property / aka “Good Ground Park”): I can not concur, nor endorse, the aforementioned “Mitigations” of “Traffic Impacts.” It can not be the purpose of this exercise to transform Hampton Bays into a major thoroughfare with arterial road expansions and modifications --- all fostering an escalating and speeding stream of traffic coursing throughout its very center. What are required: reduced speed limits (from 35 to at least 25) and, as stated above, increased police vigilance.

APPENDIX 6

WRITTEN CORRESPONDENCE

SCOTT CARLIN

MAY 3, 2010

From: Scott Carlin [Scott.Carlin@liu.edu]
Sent: Monday, May 03, 2010 10:27 PM
To: Freda Eisenberg
Cc: Anna Throne-Holst
Subject: Re: SEQRA Process for the HBDGEIS

Hampton Bays: Draft Traffic and Transportation Comments from Scott Carlin Ad Hoc Committee May 3, 2010

The purpose of planning is to offer a community a range of alternatives and then to work through the complex details of figuring out which alternatives make the most sense. Yet such opportunities for community planning are being short circuited by the Town's DGEIS process. Ad Hoc meetings are infrequent and too many meetings occur in the middle of the day when community members are not available because of their work schedules.

The draft transportation section relies heavily upon accommodating planned growth through road widening projects. Nowhere else on the East End is transportation planning reduced to road widening. No other community on the East End would accept such a plan.

The transportation section ought to describe a transportation plan for Hampton Bays that adheres to the goals and vision that the Ad Hoc Committee adopted:

- Vibrant, Historic, Seaside, Ecological, Green, Safe, Distinctive

A transportation plan that focuses on road widening fails to meet almost all of these criteria. Road widening is expensive. It encourages continued reliance upon single occupancy vehicles. It degrades local air quality; Newsday recently reported that Suffolk County has the worst air quality in New York State. Road widening is contrary to the Town's pledge to reduce its greenhouse gas emissions and contrary to the spirit of the Town's Green Advisory Committee.

The Town of Southampton has a responsibility to craft a wider range of alternatives for Hampton Bays and to provide a transportation plan that is more sensitive to the community's long-term vision and needs.

For example, the planned extension of Good Ground Road to Rt. 24 would create a new traffic bottleneck at Springville Rd. and the LIRR. A set of double traffic lights would be needed on Springville (at the LIRR). Hampton Bays is a community that had few traffic lights until a few years ago. In recent years, traffic lights have multiplied throughout the hamlet. Other members of the Ad Hoc Committee have consistently expressed opposition to the extension of Good Ground Road for a variety of reasons, yet the report makes no mention of these community concerns.

Members of the Ad Hoc Committee have expressed concerns at various meetings over the widening of Montauk Hwy. The report advocates road widening but fails to mention any of these community concerns or alternatives to road widening. It is quite common in traffic design work to segment road widening. Consultants propose the widening of only one section of a highway. Once that section of the highway is

completed, there is suddenly a need to widen the next section of the highway (where a new traffic bottleneck has been created). The Draft Traffic report has the potential for pushing Hampton Bays down this same path, though the report makes no mention of this possibility.

With its narrow focus on road widening and its disregard for Hampton Bays' goals and vision, the transportation recommendations are a disservice to Hampton Bays.

APPENDIX 7

WRITTEN CORRESPONDENCE

RICHARD CASABIANCA

MAY 3, 2010

FW Traffic Study DGEIS recommendations
From: Freda Eisenberg [FEisenberg@southamptontownny.gov]
Sent: Tuesday, May 04, 2010 9:46 AM
To: jsemioli@mjmp11c.com; rdibiase@lkma.com; Brusseau, Mike
Subject: FW: Traffic Study DGEIS recommendations

From: richard casabianca [ricardowhitehouse@hotmail.com]
Sent: Monday, May 03, 2010 5:12 PM
To: Freda Eisenberg
Cc: Jefferson Murphree; Thomas Neely
Subject: FW: Traffic Study DGEIS recommendations

From: ricardowhitehouse@hotmail.com
To: feisenberg@southamptontownny.gov
Subject: Traffic Study DGEIS recommendations
Date: Mon, 3 May 2010 17:06:07 -0400

Freda,

About the traffic study:

1.) There is a need for a cover letter of some kind indicating which recommendations do/do not square with the committee's vision particularly regarding a mananageable, walkable, safe downtown. Just because a vehicle flow possibility exists technically does not mean it is desirable. I'd like to see a statement accepting infrastructure limitations in favor of and balanced against other community goals.

2.) There needs to be an emphasis on ***traffic calming measures*** for the corridor-whether that be lowering speed limits, bike lanes, more (not less) on-street parking, additional pedestrian walkways, signage, flashing lites anticipating hotspots, and/or increased police presence.

Evidently the county and state share responsibility for Montauk Hway/Main St. and may not be immediately amenable to lowering the speed limit to less than 30/35. whatever current rules, they will eventually have to be persuaded to lower limits in Southampton's hamlet centers. Perhaps another study would justify the reduction, or our county legislator could take up the matter on our behalf. For now, this study simply needs to make a note of it.

within our downtown, 25mph. between King Kullen and the Diner, each direction, would be sensible. If 25 works for Hill St. in the village, it should be similarly, if not more appropriate for busy Main St. in Hampton Bays. If this reasonable new limit is not imposed, all other recommendations for the downtown are effectively moot. The experience of the area will never alter for the better unless it's a place signaled worthy to linger and be-in vs. simply pass-through.

3.) It is impossible to say enough about how much I do not like the idea of removing on-street parking on the north side of Main St. and/or creating a turn lane at the south end of Squiretown.

4.) The Springville/Montauk intersection and the stretch from there to 24 needs another look. Its two lanes west make left turns into or out of any address on the north treacherous. (I know this from unpleasant recent personal experience.) It should be configured the same way Ponquogue at Montauk Hway is (right lane turns right, other lane is for straight ahead or left onto one lane only). Striping to create a wider safer median/turn lane is necessary. Also in that locale, the situation at southern Atrium entrance/exit could stand another look. Observation and belief is that that is a particularly dangerous spot to make a left into or out of.

FW Traffic Study DGEIS recommendations

Thanks,
RC

PS: On historic districts: In Sept. 2009 the Landmarks Board commented to Town Board re: Canoe Place Inn: "we also recommend the ongoing HB Corridor Study include an overlay district/designation for the historically significant Shinnecock Canal Area inclusive of the Inn and its site." The Clerk has a copy of the minutes on file.

Also, Barbara Moeller's Phase I (or was it II?) would indicate where a historical area for Good Ground (Main St./corridor area) should be. Best boundaries today at least from 'church to church.' St. Rosalie's to Methodist, minimally. Taking in area west to Diner probably not a bad idea. I'll suggest Barbara and Brenda Berntsen send their input on this.

The New Busy is not the old busy. Search, chat and e-mail from your inbox. Get started.<http://www.windowlive.com/campaign/thenewbusy?ocid=PID28326::T:WLMTAGL:ON:WL:en-US:WM_HMP:042010_3>